

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
THOMASVILLE DIVISION**

DONALD A. PIERCE,

Plaintiff

v.

KEVIN ROBERTS, et. al.,

Defendants

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6:06-CV-004 (WLS)

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge G. Mallon Faircloth filed on April 20, 2006. (Doc. 18). It is recommended that Defendant State of Georgia's Motion to Dismiss (Doc. 11) be granted, and that Plaintiff's 42 U.S.C. § 1983 claims against Defendant State of Georgia be dismissed pursuant thereto. (Doc. 18). It is noted that Plaintiff was notified of his right to respond to said Motion to Dismiss, but as of the date of the Report and Recommendation has failed to file a response to Defendant's Motion. *Id.* No objection has been filed to the Report and Recommendation.

Upon full review and consideration upon the record, the Court finds that the Report and Recommendation (Doc. 18) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Therefore, Defendant State of Georgia's Motion to Dismiss (Doc. 11) is **GRANTED**. Accordingly, Plaintiff's 42 U.S.C. § 1983 claims against Defendant State of Georgia (Doc. 1) are **DISMISSED**.

SO ORDERED, this 17th day of May, 2006.

/s/W. Louis Sands
W. LOUIS SANDS, CHIEF JUDGE
UNITED STATES DISTRICT COURT